

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:
BED BATH & BEYOND INC., et al

Debtors.¹

Chapter 11
Case No. 23-13359 (VFP)
(Jointly Administered)

**ORDER GRANTING MOTION BY CREDITOR F3 METALWORX, INC.
FOR THE ALLOWANCE AND PAYMENT OF POST-PETITION
STORAGE CHARGES OF \$23,437 THROUGH OCTOBER 2023 AS AN
ADMINISTRATIVE EXPENSE AND FOR PAYMENT OF \$3,750 PER
MONTH GOING FORWARD AS A CONTINUING ORDINARY COURSE
ADMINISTRATIVE EXPENSE**

The relief set forth on the following pages, numbered two through four (2-4), is

ORDERED.

Dated:

**Hon. Vincent F. Papalia
United States Bankruptcy Judge**

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these Chapter 11 Cases is 650 Liberty Avenue, Union, New Jersey 07083.

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Caption of Order: ORDER GRANTING MOTION BY CREDITOR F3 METALWORX, INC. FOR THE ALLOWANCE AND PAYMENT OF POST-PETITION STORAGE CHARGES OF \$23,437 THROUGH OCTOBER 2023 AS AN ADMINISTRATIVE EXPENSE AND FOR PAYMENT OF \$3,750 PER MONTH GOING FORWARD AS A CONTINUING ORDINARY COURSE ADMINISTRATIVE EXPENSE

THIS MATTER having come before the Court on motion by Creditor F3 Metalworx, Inc., for an Order for the allowance and payment of post-petition storage charges of \$23,437 through October 2023 as an Administrative Expense Claim, and for payment of \$3,750 per month going forward as a continuing ordinary course administrative expense pursuant to 11 U.S.C. §§ 503(b)(1)(A) and 507(a), and the Court having reviewed the September 28, 2023 Declaration of Jason Paglia, and the Exhibits thereto, and F3 Metalworx, Inc.'s memorandum of law in support of the motion, and the papers submitted in opposition to the motion, and having heard oral argument, and after due consideration and for good cause shown, the Court finds that: (i) it has jurisdiction over the matters raised in the Motion pursuant to 28 U.S.C. §§ 157 and 1334; (ii) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); (iii) proper and adequate notice of the Motion and hearing thereon has been given and that no other or further notice is necessary; (iv) upon consideration of the Motion and the relief requested and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein,

IT IS hereby

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ORDERED that the Motion is granted and any objections thereto are overruled; and it is further

ORDERED Creditor F3 Metalworx, Inc., is allowed, and the Debtor Bed, Bath, and Beyond, Inc. shall pay to Creditor F3 Metalworx, Inc. \$23,437 through October 2023 as a Post-Petition Administrative Expense, within five days of the entry of this Order; and it is further

ORDERED that the Debtor Bed, Bath, and Beyond, Inc. shall pay to Creditor F3 Metalworx, Inc. \$3,750 per month on the first day of each month beginning November 1, 2023 and going forward as an ordinary course Administrative Expense pending the Debtor's assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc., and it is further

ORDERED that upon the Debtor's assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc., the parties shall comply with 11 U.S.C. § 365, and it is further

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ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from the assumption or rejection of the Debtor's storage contract with F3 Metalworx, Inc.